Remarks/Arguments:

Claims 1-11 are pending in the application. Claims 1-11 remain rejected. Claims 1-11 have not been amended.

Applicant would like to thank the Examiner for his time spent on the interview of October 15, 2008. During the interview, the Applicant's representatives explained the differences between the Numano reference and Applicant's claim 1. Specifically, Applicant's representatives stated that Numano does not teach case (1) of Applicants claim 1, where the processing sections have power supplied to them but the disk drive does not have power supplied to it. After briefly reviewing the Numano reference, the Examiner agreed that Numano does not appear to suggest Applicant's case (1) as recited in claim 1. The Examiner stated that he would have to look more closely at the Numano reference in order to find this feature.

The present invention relates to the control of the disk apparatus. Specifically, the power is either applied or not applied to the disk apparatus depending on a disabling and enabling mode.

On page 2, the Official Action rejectes 1-3 and 5-11 under 35 U.S.C. § 103(a) as being unpatentable over Ellis (U.S. Publication No. 2004/0103434) in view of Numano (U.S. Patent No. 6,763,400). It is respectfully submitted, however, that the claims are patentable over the art of record for at least the reasons set forth below.

Numano teaches a computer system that determines the operating state of audio sources selected by switches. Specifically, Numano is able to apply or not apply power to the audio circuit.

Applicant's invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

> **... in the case (1) when said disk start mode setting means sets said disk start disabling mode, said disk start control means carries out control so as to apply power to said processing section without applying power to said disk section ...**

... in the case (2) when said disk start mode setting means sets said disk start enabling mode, said disk start control means carries out control so as to apply power to said disk section and said processing section...

Claim 1 relates to controlling the power supplied to a disk drive and a processing section. Specifically, in a disabling mode case (1), power is applied only to the processing section (not the disk section). Furthermore, in an enabling mode case (2), power is applied to both the processing section and the disk section. This feature is found in the originally filed application on at least pages 23 and 24, as well as in Figs. 6 and 8. No new matter has been added.

On page 3, the Official Action suggests that Numano teaches case (1) and case (2) as recited in Applicant's claim 1. Specifically, the Examiner suggests that Numano's Column 4, lines 23-45, and Column 5, lines 28-34, teach these features. Applicant respectfully disagrees. Numano does not teach case (1) wherein the disk drive does not have power applied to it while the other processing sections do have a power applied to them. Specifically, Column 4 of Numano teaches a case where the audio circuit as well as the CD-ROM drive both have power applied to them ("*whereby operating power is supplied to an audio circuit that includes a sound controller 203 as shown in Fig. 5 described later, making it possible to reproduce audio data stored in the optical disk media such as a CD-ROM or DVD-ROM using the built-in CD/DVD drive 21.*"). Column 5, Numano teaches a case which is the opposite of Applicant's case (1) as recited claim 1. Specifically, Numano teaches that the power is supplied to the disk drive and no power is supplied to other sections ("*when the power is turned off, the power is supplied to the CD/DVD drive 21...and no power is supplied to other sections*"). Thus, Numano teaches power applied to the disk drive and no power supplied to the other sections, whereas Applicant teaches the opposite wherein no power is supplied to the disk drive and power is supplied to the other sections.

Applicant's claim 1 is different than Numano, because the system has two modes when it is powered on ("*in the case (1) when said disk start mode setting means sets said disk start disabling mode, said disk start control means carries out control so as to apply power to said processing section without applying power to said disk section, and in the case (2) when said disk start mode setting means sets said disk start enabling mode, said disk start control means carries out control so as to apply power to said disk section and said processing section*"). The

disabling mode case (1) is shown in Applicant's Fig. 6, wherein disk start control means 13 controls switches 33 and 34. In the disabling mode, disk start control means 13 closes switch 34 which supplies power to processing section 17, and opens switch 33 therefore disconnecting power to hard disk 12. This feature is supported on page 24, lines 11-18, of the specification ("*switch 33 is in a non-conduction state, and the switch 34 is in the conduction state. In other words, electric power is not supplied to the hard disk 12, but electric power is supplied to the processing section 17*"). By not applying power to the hard disk, the hard disk is not able to spin, and thus will not be significantly damaged if it is dropped or it is impacted in some way. This disabling mode case (1) feature is important in the operation wherein the user is installing a disk drive as disclosed on page 24, lines 19-27 of the specification. Thus, in the disabling mode, the user is able to safely install the disk apparatus ("*the reliability of the hard disk 12 is not damaged, except when a very large impact is applied. Hence, the user can carry out this kind of operation without anxiety*").

After the user installs the disk, the system may be set in enabling mode case (2). In enabling mode, disk start control means 13 closes both switches 33 and 34, thus applying power to both hard disk drive 12 and processing section 17. This feature is supported in at least Fig. 8.

It is because Applicants include the feature of "*in the case (1) when said disk start mode setting means sets said disk start disabling mode, said disk start control means carries out control so as to apply power to said processing section without applying power to said disk section ... in the case (2) when said disk start mode setting means sets said disk start enabling mode, said disk start control means carries out control so as to apply power to said disk section and said processing section...*", that the following advantages are achieved. An advantage is the ability to power down the hard disk in order to reduce the damage if the hard disk is unintentionally dropped or impacted (if the disk is spinning while impacted, it will be extensively damaged). Accordingly, for the reasons set forth above, claim 1 is patentable over the art of record.

Claim 9 has similar features to claim 1. Thus, claim 9 is also patentable over the art of record for at least the reasons set forth above.

Claims 2-8 include all the features of claim 1 from which they depend. Thus, claims 2-8 are also patentable over the art of record for at least the reasons set forth above.

Claims 10 and 11 include all the features of claim 9 from which they depend. Thus, claims 10 and 11 are also patentable over the art of record for at least the reasons set forth above.

In view of the arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

Jacques L. Etkowicz, Reg. No. 41,738
Attorney for Applicant

JLE/dmw

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P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

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